

08/22/01

11/03 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 213038US22

First Inventor or Application Identifier Willis et al.

Title INTEGRATED TURBINE POWER GENERATION SYSTEM HAVING LOW PRESSURE SUPPLEMENTAL CATALYTIC REACTOR

Assignee Name: Capstone Turbine Corporation

Assignee Address: 21211 Nordhoff Street, Chatsworth, CA 91311

1000 U.S. PTO  
09/01/2001

08/22/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2. ☒ Specification Total Sheets **70**

3. ☒ Formal Drawing(s)  
(35 U.S.C. 113) Total Sheets **13**

4. ☐ Oath or Declaration Total Pages
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in  
the prior application, see 37 C.F.R. §1.63(d)(2) and  
1.33(b).

5. ☐ CD-ROM or CD-R in duplicate, large table or Computer  
Program (Appendix)

6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)

- b. Specification or Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or

- ii. ☐ Paper

- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☒ Application Data Sheet. See 37 CFR 1.76
9. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure  
Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations
12. ☐ Preliminary Amendment
13. ☒ White Advance Serial No. Postcard
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Applicant claims small entity status.  
See 37 CFR 1.27

16. ☒ Other: Request for Priority  
List of Inventor's Names and Addresses  
Request for Specific Examiner Regarding  
Copied Claims  
Appendix A (Containing 56 pages of specification,  
and 16 pages of drawings)  
Appendix B (Containing a 5 page report entitled  
"ANALYSIS OF EMISSION CONTROL BY A  
CATALYTIC RECUPERATOR AND BY  
UPSTREAM MONOLITHS"; one page entitled  
"Table of Results 1"; one page entitled "Table  
of Results 2"; one page entitled "Table of  
Results 3"; 27 page document entitled  
"CAPSTNE5.MCD" containing calculations; 9  
page document entitled "CAPSTNE6.MCD"  
containing pages of calculations numbered  
19-27; 6 page document entitled  
"CAPSNALT2.MCD")  
Appendix C (Containing 9 page report entitled  
"COMBUSTION CATALYSTS FOR ...  
TURBINES" and 38 page document entitled  
"CAPSTONE.MCD")

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application no.:

09/207,817, filed on  
December 8, 1998,  
and is a CIP of  
application serial No.  
09/772,537, filed  
January 29, 2001,  
which is a  
continuation of  
application serial NO.  
09/420,494, filed  
October 19, 1999.

Prior application information: Examiner: Unknown Group Art Unit: Unknown

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

- ☒ This application is a ☐ Continuation ☐ Division ☒ Continuation-in-part (CIP)

of application Serial No. 09/207,817 Filed on

December 08, 1998, and is a CIP of application serial No. 09/772,537, filed January 29, 2001, which is a continuation of application serial No. 09/420,494, filed October 19, 1999, and claims priority to provisional application serial No. 60/080,457, filed April 02, 1998.

- ☒ Which was published in English

- ☐ Which was not published in English

- ☒ This application claims priority of provisional application Serial No. 60/080,457 Filed April 02, 1998

19. CORRESPONDENCE ADDRESS



**22850**

(703) 413-3000

FACSIMILE: (703) 413-2220

Name:	Richard A. Neifeld	Registration No.:	35,299
Signature:			Date: 8/22/01

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0933663.082201

Docket No. 213038US22

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Willis et al.

SERIAL NO: New Application

FILING DATE: Herewith

FOR: INTEGRATED TURBINE POWER GENERATION SYSTEM HAVING LOW PRESSURE SUPPLEMENTAL CATALYTIC REACTOR

FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	64 - 20 =	44	× \$18 =	\$792.00
INDEPENDENT CLAIMS	16 - 3 =	13	× \$80 =	\$1,040.00
■ MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$270 =	\$270.00
■ LATE FILING OF DECLARATION			+ \$130 =	\$130.00
			BASIC FEE	\$710.00
			TOTAL OF ABOVE CALCULATIONS	\$2,942.00
■ REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$-1,471.00
□ FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
□ RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
			TOTAL	\$1,471.00

□ Please charge Deposit Account No. 15-0030 in the amount of

A duplicate copy of this sheet is enclosed.

■ A check in the amount of **\$1,471.00** to cover the filing fee is enclosed.

■ The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Date: 8/22/01

Richard A. Neifeld

Registration No. 35,299

Attorney of Record



**22850**

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(OSMMN 10/00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Willis et al.

GAU: 3746 (Anticipated)

SERIAL NO: New Application

EXAMINER: Louis J. Casaregola (Anticipated)

FILED: Herewith

FOR: INTEGRATED TURBINE POWER GENERATION SYSTEM HAVING LOW PRESSURE SUPPLEMENTAL CATALYTIC REACTOR

REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- ☒ Full benefit of the filing date of U.S. Application Serial Number 09/207,817, filed December 09, 1998, is claimed pursuant to the provisions of 35 U.S.C. §120.
- ☒ Full benefit of the filing date of U.S. Provisional Application Serial Number 60/080,457, filed April 02, 1998, is claimed pursuant to the provisions of 35 U.S.C. §119(e).
- ☐ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
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Certified copies of the corresponding Convention Application(s)

- ☐ are submitted herewith
- ☐ will be submitted prior to payment of the Final Fee
- ☐ were filed in prior application Serial No. filed
- ☐ were submitted to the International Bureau in PCT Application Number .  
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.
- ☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
  - ☐ are submitted herewith
  - ☐ will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, MCLELLAND,  
MAIER & NEUSTADT, P.C.

Richard A. Neifeld  
Registration No. 35,299



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(OSMMN 10/98)



213038US22

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:  
WILLIS ET AL.

:

: GROUP ART UNIT: 3746  
(ANTICIPATED)

SERIAL NO.: NEW APPLICATION

:

FILED: HEREWITH

: EXAMINER: **LOUIS J. CASAREGOLA**  
(REQUESTED)

FOR: INTEGRATED TURBINE POWER GENERATION  
SYSTEM HAVING LOW PRESSURE SUPPLEMENTAL  
CATALYTIC REACTOR

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

REQUEST FOR SPECIFIC EXAMINER  
REGARDING **COPIED CLAIMS**

*I request that this application be assigned to Primary Examiner **LOUIS J.***

**CASAREGOLA**, in group art unit 3764 because (1) he examined **the exact same claims** as claims 1-2 presented herein when he examined and allowed United States patent No. 6,205,768 and (2) because this application raises interference issues requiring the attention of a primary examiner knowledgeable in this technology.

Claims 1-3 in this application are identical copies of (1) claims 1 and 2 in United States patent No. 6,205,768, issued March 27, 2001, naming Robert W.Dibble and Rajiv K.Mongia as

09933663-082204

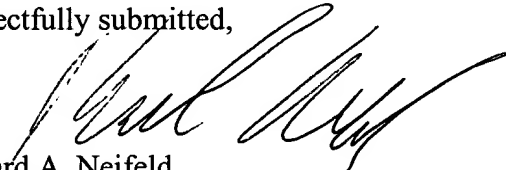
inventors, and assigned at issue to Solo Energy Corporation, and (2) claim 1 in United States patent No. 6,10<sup>7</sup>9,693 issued August 22, 2000, naming Rajiv K. Mongia, George L. Touchon, Robert W. Dibble, and Martin L. Lagod as inventors, and assigned at issue to Solo Energy Corporation. This application supports the limitations defined in claims 1-3; see for example Figure 3 showing separate air and fuel lines 18, 46, the compressor 4, the recuperator 12, the primary catalytic converter 14, the turbine 10, and the low pressure catalytic converter 16.

In addition, claims 4-9 are modeled after the three claims identified above in the '768 and '693 patents.

I intend to file a 37 CFR 1.607 interference request with those two patents as soon as practicable after filing this application.

Since this application raises interference issues, *it should be placed on the examiner's special cases docket.*

Respectfully submitted,



Richard A. Neifeld  
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Power)  
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